

# Exhibit 11

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*Class Counsel for the Direct Purchaser Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE CAPACITORS ANTITRUST LITIGATION

Master File No. 3:17-md-02801-JD

Case No. 3:14-cv-03264-JD

THIS DOCUMENT RELATES TO:  
ALL DIRECT PURCHASER ACTIONS

**DECLARATION OF JASON HARTLEY  
IN SUPPORT OF CLASS COUNSELS'  
APPLICATION FOR ATTORNEYS' FEES  
AND REIMBURSEMENT OF EXPENSES  
SUBMITTED ON BEHALF OF HARTLEY  
LLP**

I, Jason Hartley declare as follows:

1. I am the founding partner of Hartley LLP (the "Firm"). I submit this declaration in support of class counsels' application for attorneys' fees for services rendered to the proposed class and for reimbursement of expenses reasonably incurred in the course of such representation. I make this declaration pursuant to 28 U.S.C. § 1746. The time expended in preparing this declaration is not included in the application for attorneys' fees.

2. I have reviewed the Court's October 31, 2014 Order Appointing Interim Lead Class Counsel (ECF No. 319) ("Order"), including in particular the Order's provisions regarding fees, costs, and expenses. The Firm has adhered to those provisions.

3. The Firm has acted as class counsel to the Direct Purchaser Class (the “Class”) in this class action. Since we submitted our last declaration in support of an award of attorneys’ fees and reimbursement of expenses, the Firm has been involved in the following activities on behalf of the Class at the request and under the direction of Lead Counsel:

- Analyzing testimony and preparing evidence proffers in support of the admissibility of specific deposition testimony at trial;
- Analyzing and contributing to the trial witness list;
- Assisting on drafting of various motions, including the Motion for Judgment as a Matter of Law against certain Defendants, Motion for Judgment as a Matter of Law Concerning Import Commerce under the Foreign Trade Antitrust Improvements Act, and Motion for UCC and NCC to be Declared a Single Entity, including incorporation of evidence entered while trial was ongoing;
- Drafting oppositions to, and assisting with analysis of, various Motions in Limine;
- Drafting memoranda on issues in preparation for trial, including evidence of worldwide pricing by Defendants and identification of documents to be authenticated by Defendant AVX’s custodian;
- Drafting responses to Supplemental Trial Briefs;
- Analysis and designation of deposition testimony of several witnesses for use at trial, drafting the counter-designation of Defendants’ deposition testimony for those witnesses at trial, and drafting objections to Defendants’ deposition designations and counter-designations;
- Analysis of proposed jury instructions;
- Drafting outlines and questions for the cross-examination of trial witnesses;
- Drafting outlines and analyzing and compiling exhibits for the direct examination of trial witnesses;
- Responding to Defendants’ objections to trial exhibits, including research and drafting memoranda about the legal basis for such objections, meeting and conferring with Defendants, and drafting memoranda about those objections for use by lead counsel during trial;
- Analyzing, selecting, and condensing videotaped deposition evidence for use at trial;

- 1 • Analyzing arguments regarding the possibility of mistrial after the trial was paused;
- 2 • Conferring with Defendant AVX regarding authentication of documents;
- 3 • Attending status conferences and pre-trial conferences;
- 4 • Attending and assisting lead counsel in-person at trial including preparation of closing
- 5 argument; and
- 6 • Analyzing the potential settlement with the final Defendant NCC/UCC and conferring with lead
- 7 counsel regarding that settlement.

8 4. During the period from January 1, 2020 through March 31, 2022, the Firm performed  
 9 535.60 hours of work in connection with this litigation. Based upon the historical hourly rates charged  
 10 by the Firm, the lodestar value of the time is \$424,893.00. Attached as **Exhibit A** is a chart that  
 11 indicates the attorneys, paralegals and staff who worked on this litigation, the number of hours worked,  
 12 the categories of their work, and their respective lodestar values. Exhibit A was prepared from  
 13 contemporaneous, daily time records regularly prepared and maintained by the Firm, and they have  
 14 been provided to Lead Counsel for review.

15 5. All of the services performed by the Firm in connection with this litigation were  
 16 reasonably necessary in the prosecution of this case. There has been no unnecessary duplication of  
 17 services for which the Firm now seeks compensation. The lodestar calculations exclude time spent  
 18 reading or reviewing work prepared by others or other information concerning this case unless related  
 19 to preparation for, or work on, a matter specifically assigned to the Firm by Lead Counsel. The rates at  
 20 which the Firm seeks compensation are its usual and customary hourly rates charged for similar work.

21 6. Attached as **Exhibit B** is a chart summarizing \$174,707.50 of reasonable and necessary  
 22 expenses the firm has incurred during the period January 1, 2020 through March 31, 2022 in  
 23 connection with this litigation for which it has not yet been reimbursed. Expense documentation has  
 24 been provided to Lead Counsel for audit and review.

25 7. The expenses incurred are reflected on the books and records of the Firm. These books  
 26 and records are prepared from checks and expense vouchers that are regularly kept and maintained by  
 27 the Firm and accurately reflect the expenses incurred.

28 8. The Firm's compensation for the services rendered on behalf of the class is wholly

1 contingent. Any fees and reimbursement of expenses will be limited to such amounts as approved by  
2 the Court.

3 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
4 and correct. Executed on: June 16, 2022 at San Diego, California.

5 By: /s/ Jason S. Hartley  
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# Exhibit A

**EXHIBIT A**

**HARTLEY LLP  
TIME SUMMARY  
1/1/2020 through 3/31/2022**

<b>Name</b>	<b>Rate</b>	<b>Hours</b>	<b>Activity</b>	<b>Amount</b>
Jason S. Hartley	875.00	1.5	L230 Court Mandated Conferences	1312.50
Jason S. Hartley	875.00	1.1	L250 Other Written Motions and Submissions	962.50
Jason S. Hartley	875.00	100.30	L440 Other Trial Preparation	87762.50
Jason S. Hartley	875.00	86.50	L450 Trial and Hearing Attendance	75687.50
Jason S. Hartley	895.00	0.3	L160 Settlement/Non-Binding ADR	268.50
Jason S. Hartley	895.00	0.5	L190 Other Case Assessment	447.50
Jason S. Hartley	895.00	53.6	L440 Other Trial Preparation	47972.00
Jason S. Hartley	895.00	56.0	L450 Trial and Hearing Attendance	50120.00
<b>TOTAL Jason S. Hartley</b>		<b>303.10</b>		<b>267436.50</b>
Jason M. Lindner	710.00	24.4	L250 Other Written Motions and Submission	17324.00
Jason M. Lindner	710.00	24.1	L410 Fact Witnesses	17111.00
Jason M. Lindner	710.00	127.6	L440 Other Trial Preparation	90596.00
Jason M. Lindner	750.00	6.0	L250 Other Written Motions and Submission	4500.00
Jason M. Lindner	750.00	23.0	L440 Other Trial Preparation	17250.00
<b>TOTAL Jason M. Lindner</b>		<b>205.10</b>		<b>146781.00</b>

Fatima Brizuela	455.00	24.4	L120 Analysis/Strategy	11102.00
Fatima Brizuela	455.00	4.4	L460 Post-Trial Motions and Submissions	2002.00
<b>TOTAL Fatima Brizuela</b>		<b>28.80</b>		<b>13104.00</b>
Tina J. Glover	250.00	1.2	L250 Other Written Motions and Submissions	300.00
Tina J. Glover	250.00	.70	L440 Other Trial Preparation	175.00
<b>TOTAL Tina J. Glover</b>		<b>1.90</b>		<b>475.00</b>
<b>TOTAL LODESTAR</b>		<b>535.60</b>		<b>424893.00</b>



# Exhibit B

**EXHIBIT B**

**HARTLEY LLP  
EXPENSE SUMMARY  
1/1/2020 through 3/31/2022**

<u><b>Expense</b></u>	<u><b>Amount</b></u>
Meals	801.03
Ground Transportation	748.27
Lodging	1920.90
Airfare	553.96
Online Research (PACER AND WESTLAW)	463.57
Court Reporting/Transcripts	112.35
Miscellaneous (office equipment during DPP trial in S.F.)	107.42
Cost Fund Assessments	<u>170,000.00</u>
<b>TOTAL EXPENSES 2020-2022</b>	<b>174,707.50</b>